

## ***City of Naples***

Naples City Council Meeting Agenda  
February 24, 2022 - 7:30 p.m.  
1420 East 2850 South  
Naples, UT 84078

### **Opening Ceremonies**

1. **Approval of Agenda**
2. **Approval of Minutes - February 10, 2022 Regular Council Meeting**
3. **Any Follow Up Matters from February 10, 2022**
4. **Approval of Bills**
5. **Business License Approval**
  - Altitude Energy Solutions- 1735 E 1500 S
  - Sweet Celebrations - 815 Hanna Lane
6. **Approve Expenditure for Roadway surface Inventory & Dashboard Management Services - Ryan Cook**
7. **Approve Support for ATV Jamboree**
8. **Approve Changes to Land Use Ordinance Chapter 02-24-005 R1 Zone Location Requirements - Ordinance 22-242**
9. **Department Reports**
10. **Other Matters/Future Council Matters**
11. **Motion to Adjourn**

In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the Naples City offices at 789-9090, 1420 East 2850 South, Naples, UT 84078 at least 48 hours in advance of the meeting. Meetings are held at 1420 East 2850 South, Naples, UT.

The undersigned, duly appointed City Recorder, does hereby certify that the above agenda was faxed or emailed to the Vernal Express. The agenda was also posted on the City's website [www.naplescitu.gov](http://www.naplescitu.gov), and on the State Public Meeting Notice website

# Naples City Council

## February 10, 2022

### Minutes

The regularly scheduled meeting of the Naples City Council was held February 10, 2022, 7:30 p.m., at the Naples City Office, 1420 East 2850 South, Naples, Uintah County, Utah.

Council members attending were Dean Baker, Robert Hall, Gordon Kitchen, Dennis Long, Dan Olsen and Kenneth Reynolds.

Others attending were Christy Young, Bret Reynolds, Troy Ostler, Rachel Crabb, Jessy McKee, Brooks Jones, Stephanie Adams, Scott Adams, Ryan Cook, Szeth Simmons, Nathan Simper, Micheal Davis and Nikki Kay.

Mayor Dean Baker welcomed everyone and called the meeting to order at 7:30 p.m. Mayor Baker opened the meeting with the pledge of allegiance. Councilman Dennis Long offered the invocation.

Mayor Baker asked for approval of the agenda. Robert Hall **moved** to approve the agenda. Dan Olsen **seconded** the motion. The motion passed with all in attendance voting aye.

The minutes of the regular city council meeting of January 27, 2022 were presented for approval. Kenneth Reynolds **moved** to approve the minutes of January 27, 2022. Dennis Long **seconded** the motion. The motion passed with all in attendance voting in the affirmative.

Mayor Baker asked if anyone had anything they wanted to follow up on from the previous meeting. Nothing was brought forward.

Nikki Kay presented the bills for payment in the amount of \$44,435.95. Dennis Long **moved** to approve the amount of \$44,435.95. Robert Hall **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye

#### *DATE, TIME & PLACE OF MEETING*

#### *COUNCIL MEMBERS ATTENDING*

#### *OTHERS ATTENDING*

#### *OPENING CEREMONY*

#### *AGENDA APPROVED*

#### *MINUTES APPROVED*

#### *FOLLOWUP ITEMS FROM PREVIOUS MEETING*

#### *APPROVAL OF THE BILLS*

DRAFT

Kenneth Reynolds     Aye  
Gordon Kitchen        Aye

Nikki Kay presented the business license application of **360 Sports**, located at 540 S Wright Brothers Dr., for approval. The business is a sports facility available for rent to teams who need a place to practice. Nikki stated the license was recommended for approval by Dale Peterson. Mayor Baker asked about a sales tax number and recommended approval based on whether or not the company can provide documents stating they do or don't need a tax ID number. Dennis Long **moved** to approve the business license on the condition of information about a sales tax number. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

***BUSINESS    LICENSE  
APPROVAL***

Troy Ostler with Civco Engineering came before the Council to present a change order for the 2000 East road project. Mr. Ostler explained the change order was for \$95,000. He stated the change order was given to Micheal Davis to sign but he wanted it brought before the Council. Mr. Ostler explained the changes were due to the change in scope, the public meetings, and the gulches. He said the change order was anticipated but he didn't communicate very well to Mike that it was coming. It was explained that obtaining the right-of-way for properties along the gulches was a more feasible alternative than the retaining walls. Councilman Kitchen raised a question about the need to notify the Core of Engineers as they go through those gulches. Mr. Ostler said they have had those discussions and they've sized the wetland impacts and they will stay within the Core's parameters to make it as easy as possible. He said they've had those delineated by their sub consultants and they know what they have to do. Mr. Ostler said it is prepared and ready to submit, they just can't do it without the change order. Councilman Kitchen wanted to know if they see any issues with it. Mr. Ostler said they do not. Bret Reynolds stated they did the delineation early enough in the year that it helped there not be any problem. He also said they are really close in getting the right-of-way submitted to UDOT. Councilman Hall wanted to know when they would hear from UDOT on the match. Micheal said it has been through the subcommittee and passed, and it was probably the harder one. He said the next one will be the legislative process and it will be reviewed in March. Robert Hall **moved** to approve the change order as presented. Dan Olsen **seconded** the

***2000    EAST    CHANGE  
ORDER APPROVAL AND  
UPDATE ON PROJECT***

**DRAFT**

motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Mr. Ostler stated they are still anticipating being able to start on the project mid summer.

Jessy McKee came before the Council again to discuss his sign on Hwy 40. Mr. McKee stated they are all familiar with this issue. He said Micheal has tried to work with him on this but he has to do what the Council says. Mr. McKee said he never wanted his old sign taken down and he had nothing to gain by it. He said the people at Mtn West took his sign down to make room for their new sign and they did it because they were told by Mr. Peterson that it was okay to take it down. He said that was his first indication that there might be a problem. Mr. McKee stated that he has tried to reach out to members of the Council to discuss this and some of them have been good at getting back to him. He said he met with the Mayor and felt like he was told it would be okay to put his sign back up. He said he would not be building anything different, just replacing what he already had. Mr. McKee said he was very frustrated when he learned the other sign that was given to him by Mtn West was not considered to be owned by him and that he could only use it for two years. Mr. McKee said he understands the City has rules and codes they have to follow but felt like the City should work with him to have use of his sign. He couldn't understand why they can't work through something that is this simple and he felt stuck and didn't know what to do. He asked the Council to make a decision so he knew which direction he needed to move. Mr. McKee said he is not willing to give up something he feels like he had and never wanted to move and lost in a day. Mayor Baker thanked Mr. McKee for coming. He said, as it stands now, the decision he received is final and they won't go against what is in the ordinance. Mayor Baker said the letter listed what his options are. Mr. McKee wanted to know why he was never told everything in the beginning. He felt like the Mayor told him in a meeting that there was no issue and he could go ahead. He said if he had the money that Reagan Sign has, he would have a billboard. Mr. McKee said it's not fair and it's not right. Mayor Baker said there is a process to go through with

***CITIZEN REQUEST TO  
ADDRESS COUNCIL  
REGARDING SIGN***

DRAFT

the Planning Commission. Mr. McKee said he was on the agenda and went to them in the very beginning and was told he needed to go to City staff. He said he did that and that was all before the sign came down. Mayor Baker said he didn't want to argue about it and if Mr. McKee wanted to go to the Planning Commission and request a billboard or a change to the ordinance, he could do that. Mr. McKee said if they would give him whatever paperwork he needed he would get started right now. Mayor Baker said the Council made the decision to have no new billboards. Mr. McKee stated it was not a new one and wanted to know if he could put his old one back up. Mayor Baker said he would need to get the permission of the landowners and make sure that goes through the Planning Commission. Mr. McKee wanted to make sure he understood what the Mayor was asking, he should get with Mike Davis to apply to put the billboard up, then if he is not allowed he would take steps to change the ordinance and get a recommendation from the Planning Commission and then it would go to City Council? He asked how likely it would be that a change would happen. Mayor Baker said he didn't know, there is always a possibility. Mr. McKee wanted to know if the City should take any responsibility in this as the building department should have led him that way or city staff should have directed him in that direction. He asked if they understood his frustration as he tried to find which way to go before the sign came down. He feels like the City should take some responsibility as he tried to find out what to do. Mr. McKee said he feels like he already tried to do the process and if he tried again he would end up in the same spot. Mr. McKee wanted to know why he can't have continued use of the sign if he was allowed to use it for two years, why not continuous. Mayor Baker said as far as the City goes, the letter he received is final unless Mr. McKee wants to start that process.

Council members were given a draft copy of Resolution 22-339 for their review. The resolution addresses the issue of bringing an end to the "possibility of reverter" stipulations attached to the self-help housing lots in Pheasant Run. Micheal Davis said he had just a couple of changes to suggest on the draft. He wanted to add UBAOG to the first "whereas" clause right before "self-help housing." He also pointed out a spelling error in the next paragraph that needed to be corrected. Councilman Kitchen wanted to know where the date of 2027 came in, he thought they talked about having this end in ten years and the resolution has it at fifteen. Micheal said that is what Mr. Judd put in,

***REVIEW DRAFT  
RESOLUTION 22-339  
REGARDING SELF-HELP  
HOUSING LOTS IN  
PHEASANT RUN***

**DRAFT**

they can change it if that is what is decided. Mayor Baker said he was concerned that this was Federal money and it can't just be deposited back into the City, it might need to be used for something similar. Mayor Baker said the money is administered through UBAOG and he spoke with Laurie at UBAOG and he stated she was concerned with the City going on a short time frame that someone could turn it around into a rental. Councilman Kitchen said he would like to see all of that in writing and would be fine with giving the money back to UBAOG. He said if they are giving it back he would rather see it go back in ten years rather than string it out, and you couldn't even buy a lot for that amount right now. Councilman Olsen wanted to know where the money is right now that was paid. Micheal said it's just in the bank but on the budget it's listed under a restricted account. Mayor Baker said he feels like Mr. Judd's concern is with the two lot owners who have already paid and if the City washes it away too quickly, is the City being fair. Councilman Olsen wanted to know what the City gains by holding onto the money five extra years. Councilman Reynolds felt like what they gain is, Mr. Judd would find it easier to defend it if the need arose. Mayor Baker said the City applied for the funds when they were available and thought they were helping people out and helping to move the subdivision along. Micheal said this was a lien put on by the City, not by UBAOG. Mayor said yes but it's Federal money. Councilman Hall said the real question for UBAOG is, what is the value or when is the value complete? Nikki asked why the City was asking UBAOG about the money when it was the City who put the stipulations on the property. Mayor Baker said because the City went through that process to get the money and they need to find out what we can do with the money. Councilman Kitchen questioned what Ms. Brummond told the Mayor. Mayor Baker said she didn't tell him what the City has to do, she just told him there were strings tied to the money. Councilman Long said to find out what those strings are. Councilman Kitchen said he would like to recommend ten to twelve years for the Resolution, find out what they can do with the money, and be done with it. He said they have one owner that is trying to put their property in a trust and it would be nice to clean this up. Councilman Kitchen said he would rather see them go to twelve years and to put the date of September 1, 2024. Micheal said it may help if anyone else goes to sell if the finance companies know there is an end date. It was also discussed if the money already collected could go back into the rehab grants and loans the City used to do. No action was taken on this matter.

**DRAFT**

Ryan Cook wanted the Council to know that over a year ago, Joshua Bake submitted a Trails Plan for the City as he was serving with the Dino Trails Committee. Ryan stated they submitted a trail going from 1500 South out to Buckskin Hills and it was at the bottom of the list. He said within the last two months that trail has jumped back to the top of the list. Ryan reported the Trails Committee is doing a feasibility study to try and see if it would be a good project. He said part of the discussions have been to put in fixed telescopes along the trail and see if local businesses would sponsor the point-of-interest stops. Councilman Hall asked about the dug way and whether or not it could be made wider. Ryan stated it would be difficult to do that and because of that, there would be times the trail might go into the road. Ryan said they are trying to go after some grants to help with this.

Chief Simper apologized for coming in late but wanted the Council to know he was working with the Uintah Basin Narcotic Strike Force and through some information that was obtain they were able to make a traffic stop on a vehicle that was carrying 2.1 pounds of methamphetamine. He said this has been a major distributor that has been coming into the boarder of Naples and Vernal City. Chief Simper said he wanted to report that so the Council could see the money being put into the Strike Force is being put to good use. He said they are out there and are trying to pull these drugs off the street. Councilman Long wanted to know if these drugs are being used in this area. Chief Simper stated, absolutely.

Micheal Davis reported him and Szeth met with the Recreation District to share information with them about the 24<sup>th</sup> of July celebration at the Naples Park. He said the Recreation District agreed to a free day at the Splash Park for that day and they also reserved the other pavilion for the City on that day.

There was nothing brought forward under other matters or future council matters.

With no other business before the Council, Kenneth Reynolds **moved** to adjourn the meeting at 8:40. Dennis Long **seconded** the motion. The meeting was adjourned by all voting in favor of the motion.

## ***DEPARTMENT REPORTS***

## ***OTHER MATTERS AND FUTURE COUNCIL MATTERS***

## ***MOTION TO ADJOURN***

**DRAFT**

APPROVED BY COUNCIL ON THE 24<sup>th</sup> DAY OF FEBRUARY 2022

BY: \_\_\_\_\_

ATTEST: \_\_\_\_\_

**DRAFT**



## Report Criteria:

Invoices with totals above \$0.00 included.  
Only unpaid invoices included.

GL Acct No	Vendor	Vendor Name	Description	Invoice Number	Invoice Date	Invoice Amount
10-22250 WORKMENS COMPE	1084	Utah Local Gov't Ins. Trust	Workers Comp	1595992	01/13/2022	574.97
10-22250 WORKMENS COMPE	1084	Utah Local Gov't Ins. Trust	Workers Comp	1596760	02/16/2022	636.59
10-22500 HEALTH INSURANCE	740	Public Employees Health Prog	Health & Dental Insurance	1236554	02/20/2022	18,491.27
10-22500 HEALTH INSURANCE	1084	Utah Local Gov't Ins. Trust	Health Insurance Premium	1595991	01/13/2022	235.48
10-22500 HEALTH INSURANCE	1084	Utah Local Gov't Ins. Trust	Health Insurance Premium	1596758	02/16/2022	310.63
10-22502 MIKE HEALTH INSUR	1129	Vernal City	Health Insurance - M. Davis	6888	02/07/2022	1,710.14
Total :						21,959.08
10-43-240 OFFICE SUPPLIES A	828	Seams Sew Right	Logos on shirts	618644	02/17/2022	6.50
Total CITY ADMINISTRATOR:						6.50
10-44-120 TREASURER/PT TIM	604	Mortenson, Duston CPA	Treasurer Duties	604-122	01/24/2022	1,400.00
Total TREASURER:						1,400.00
10-49-513 PUBLIC EMPLOYEE	1084	Utah Local Gov't Ins. Trust	Bond 71505583	1596759	02/16/2022	994.00
Total LIABILITY INSURANCE:						994.00
10-50-271 UTILITIES - CITY HAL	622	Mt. Olympus Waters	Equipment Rental	102094540218	02/18/2022	77.39
10-50-271 UTILITIES - CITY HAL	1099	Rocky Mountain Power	Monthly Electric Service 6115952	9526-0222WW	02/04/2022	142.23
10-50-271 UTILITIES - CITY HAL	1107	Utah Department of Technology	Email accounts	2204R3060000	10/31/2021	27.82
10-50-274 UTILITIES - PLAZA P	1099	Rocky Mountain Power	Monthly Electric Service 6108154	1546-0122PP	02/04/2022	19.05
Total GENERAL GOVERNMENT BUILDINGS:						266.49
10-51-240 OFFICE SUPPLIES A	902	Staples	Calendar, Envelopes	3498271236	01/26/2022	96.52
10-51-240 OFFICE SUPPLIES A	902	Staples	Ink cartridges	3498271237	01/26/2022	55.50
10-51-240 OFFICE SUPPLIES A	902	Staples	Ink cartridges	3498271240	01/26/2022	119.37
10-51-245 COMPUTER EXPENS	19	AM Computers	Service contract	4560	02/03/2022	150.00
10-51-250 EQUIPMENT, SUPPLI	1219	FP Mailing Solutions	Ink cartridges	RI105201579	01/26/2022	140.27
Total SUPPLIES/EQUIPMENT:						561.66

GL Acct No	Vendor	Vendor Name	Description	Invoice Number	Invoice Date	Invoice Amount
10-52-220	ADVERTISE/NOTICE	1132 Vernal Express	Land Use Public Hearing	149044	02/15/2022	42.25
10-52-240	OFFICE SUPPLIES A	655 Northeastern Utah Office	Name plates	95936	02/04/2022	132.00
Total PLANNING AND ZONING:						174.25
10-54-240	OFFICE SUPPLIES &	902 Staples	Markers, toner, cd drives, mousep	3498271235	01/26/2022	248.36
10-54-249	EQUIPMENT/PURCH	958 Main Street Auto	Extension cord for speed trailer	116307	02/17/2022	29.05
10-54-251	FUEL & OIL	808 Rocky Mountain Lube & Muffler	Oil change & lube	611433	02/14/2022	61.58
10-54-271	UTILITIES-POLICE	1099 Rocky Mountain Power	Monthly Electric Service 61118576	8576-0222PS	02/09/2022	165.71
10-54-333	CRIMINAL INVESTIG	1210 Zion's First National Bank	Shipping to crime lab	IZOE587X0397	02/17/2022	15.48
Total POLICE DEPARTMENT:						520.18
10-58-210	BOOKS, SUBSCRIPTI	457 International Code Council	Annual membership dues	3325879	01/11/2022	145.00
Total BUILDING INSPECTOR:						145.00
10-59-224	PUBLIC RELATIONS	44 Ashley Acres Lights	Fireworks display prepayment	25-2022	02/12/2022	3,500.00
Total COMMUNITY MARKETING:						3,500.00
10-70-254	BOBCAT MAINTENA	341 Fastenal Company	Bolts	UTVER95532	02/14/2022	3.50
10-70-254	BOBCAT MAINTENA	341 Fastenal Company	Bolts	UTVER95534	02/14/2022	3.51
10-70-255	EQUIPMENT REPAIR	223 Codale Electric Supply	Bolts kit	S7682750.001	02/15/2022	27.79
10-70-255	EQUIPMENT REPAIR	958 Main Street Auto	Trailer Repair Lights	114880	02/08/2022	25.19
10-70-255	EQUIPMENT REPAIR	1147 Vernal Winnelson Company	Pipe fittings	495140	02/09/2022	4.62
10-70-255	EQUIPMENT REPAIR	1210 Zion's First National Bank	Water pump	112197345267	02/07/2022	21.27
10-70-470	SAFETY CLOTHING	341 Fastenal Company	Lens cleaning wipes	UTVER95568	02/16/2022	14.76
Total BUILDING & GROUNDS:						100.64
Grand Totals:						29,627.80

GL Acct No	Vendor	Vendor Name	Description	Invoice Number	Invoice Date	Invoice Amount
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Report Criteria:  
Invoices with totals above \$0.00 included.  
Only unpaid invoices included.



Item No. \_\_\_\_\_

**MEMO TO:** City Council, City Manager  
**FROM:** Dale Peterson

Building Official

**Subject:** Business License for:

Altitude Energy Solutions  
1735 East 1500 South  
Naples, Utah 84078

**Recommendation:**

Approve the Business License for.

Altitude Energy Solutions  
1735 East 1500 South  
Naples, Utah 84078

Owner: Kirk Branom

They are in the old Schlumberger building, where  
JRS Trailers is located.

**Business Activity:**

Oil & Gas equipment & service.  
Automation Installs on oil and gas equipment,  
and services, oil and gas equipment.

**Date:**

Feb 9, 2022

Zone I-1

**02-28-003 Permitted uses**

#23 Oilfield Services

**Attachments:**

- Pictures

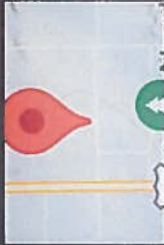
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← 1750 E 1500 S Naples, Utah



1735 E 1500 S

1735 E 1500 S, Naples, ...

40.43°N, 109.50°W



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Camera: 1,588 m







Item No. \_\_\_\_\_

**MEMO TO:** City Council, City Manager  
**FROM:** Dale Peterson

Building Official

**Subject:** Business License for:

Sweet Celebrations  
815 Hanna Lane  
Naples, Utah 84078

**Recommendation:**

Approve the Business License for.

Sweet Celebrations  
815 Hanna Lane  
Naples, Utah 84078

Owner: Kimber Porter

Business Activity:  
Makes Wedding cakes, cookies and other pastries  
associated with weddings and other outside  
parties.

Kimberly Porter has a food handlers permit from  
Tri County Health.  
Tri County health has exempted her kitchen from  
being a commercial kitchen.

Customers come to her home to pick up their  
pastries.

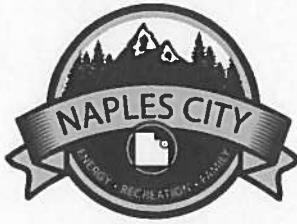
**Date:**

Feb 9, 2022

Zone R-1

**02-24-002 permitted uses**

Home Occupation, in accordance with Chapter 13  
of this ordinance.



Item No. \_\_\_\_\_

<b>MEMO TO:</b> City Council		<b>Subject:</b> Accessory Building Minimum Setbacks
<b>FROM:</b> Planning Commission / Staff		
<b>Recommendation:</b>  Approve the change to add wording in ordinances to include change of minimum setbacks from 5 feet to 3 feet.		<b>Date:</b> February 17, 2022
		<b>Fiscal Impact:</b> N/A
		<b>Funding Source:</b> N/A
<b>Background:</b> Staff has suggested the change of minimum setbacks on accessory buildings with a floor plan of under 200 square feet from 5 foot setbacks to 3 foot setbacks in order to accommodate buildings that are currently not required to obtain a building permit to construct.  02-14 Supplementary Regulations, Section 02-21 Agricultural zone A-1, Section 02-22 Residential/Agricultural Zone RA-1, Section 02-23 Residential Agricultural Zone RA-2, Section 02-24 Residential Zone R-1, Section 02-25 Residential Zone R-2, and Section 02-11 Residential Zone R-3. To provide an orderly manner in regulating single story Residential accessory buildings under 200 square feet.  The Planning Commission held a public hearing on 02/17/2022 where they made a motion to include the approve the change of minimum setbacks on accessory buildings from 5 feet to 3 feet of the rear and back property lines for residential accessory buildings under 200 square feet.		
<b>Attachments:</b> 02-14 Supplementary Regulations, Section 02-21 Agricultural zone A-1, Section 02-22 Residential/Agricultural Zone RA-1, Section 02-23 Residential Agricultural Zone RA-2, Section 02-24 Residential Zone R-1, Section 02-25 Residential Zone R-2, and Section 02-11 Residential Zone R-3.		
<b>Recommended Motion:</b>  Make a motion to approve change in ordinance for 02-14 Supplementary Regulations, Section 02-21 Agricultural zone A-1, Section 02-22 Residential/Agricultural Zone RA-1, Section 02-23 Residential Agricultural Zone RA-2, Section 02-24 Residential Zone R-1, Section 02-25 Residential Zone R-2, and Section 02-11 Residential Zone R-3. To provide an orderly manner in regulating single story Residential accessory buildings under 200 square feet.		

**DRAFT**

Naples City Ordinance No. 22-242

**An ordinance amending the Naples City Land Use Ordinance 02-24-005 R1 Zone Location Requirements**

WHEREAS, the Naples City Planning Commission has considered proposed revisions to the Naples City Land Use Ordinance and Subdivision Ordinance; and

WHEREAS, the Naples City Planning Commission has conducted duly noticed and open public meetings and hearings, considered the revisions to the Naples City Land Use Ordinance on January 20, 2022 and February 17, 2022 and

WHEREAS, the Naples City Planning Commission has found that the revisions set forth herein are in the best interest of the health, safety, and welfare of the community, and will improve the land use management and subdivision development procedures in the City of Naples; and

WHEREAS, the Naples City Planning Commission has recommended the changes set forth herein to the Naples City Council; and

WHEREAS, the Naples City Council has in a duly noticed open meeting on February 17, 2022, considered the recommended changes.

NOW THEREFORE, be it ordained by the Naples City Council that:

The Naples City Land Use Ordinance is amended as follows (additions are underlined, deletions have a strikethrough):

**CHAPTER 02-14            SUPPLEMENTARY REGULATIONS**

Section 02-14-006       ~~Reserved for Future Use~~ Exempt from permit and location requirements:

One story detached accessory structures located 5 or more feet behind the main building are exempt from permit and location requirements in the following, A-1, RA-1, RA-2, R-1, R-2, R-3 zones provided that the floor area does not exceed 200 square feet.

**CHAPTER 02-21            AGRICULTURAL ZONE A-1**

**MINIMUM SETBACKS FROM ROAD RIGHT-OF-WAY LINES:**

02-21-005 Location Requirements

**4. Accessory buildings:**

Front :30 feet

Side: ~~5~~ 3 feet Unless the accessory building is located within 5 feet of the main building, then the side setback is the same as the main building.



DRAFT

Rear: 5 3 feet

One story detached accessory structures located 5 or more feet behind the main building are exempt from permit and location requirements provided that the floor area does not exceed 200 square feet.

## **CHAPTER 02-22 RESIDENTIAL-AGRICULTURAL ZONE RA-1**

### **MINIMUM SETBACKS FROM ROAD RIGHT-OF-WAY LINES:**

#### **02-22-005 LOCATION REQUIREMENTS**

##### **4. Accessory Buildings**

Front: 30 feet

Side: 5 3 feet unless the accessory building is located within 5 feet of the rear of the main building, then the side setback is the same as the main building.

Rear: 5 3 feet

One story detached accessory structures located 5 or more feet behind the main building are exempt from permit and location requirements provided that the floor area does not exceed 200 square feet.

## **CHAPTER 02-23 RESIDENTIAL/AGRICULTURAL ZONE RA-2**

### **MINIMUM SETBACKS FROM ROAD RIGHT-OF-WAY LINES:**

#### **02-23-004 LOCATION REQUIREMENTS**

##### **4. Accessory Buildings**

Front: 30 feet

Side: 5 3 feet unless the accessory building is located within 5 feet of the rear of the main building, then the side setback is the same as the main building.

Rear: 5 3 feet.

One story detached accessory structures located 5 or more feet behind the main building are exempt from permit and location requirements provided that the floor area does not exceed 200 square feet.

## **CHAPTER 02-24 RESIDENTIAL ZONE R-1**

#### **02-24-005 LOCATION REQUIREMENTS**

DRAFT

**MINIMUM SETBACKS FROM PROPERTY LINES:**

**4. Accessory Buildings**

Front: 30 feet

Side: ~~5~~ 3 feet unless the accessory building is located within 5 feet of the rear of the main building, then the side setback is the same as the main building.

One story detached accessory structures located 5 or more feet behind the main building are exempt from permit and location requirements provided that the floor area does not exceed 200 square feet.

**CHAPTER 02-25          RESIDENTIAL ZONES R-2**

**02-25-06          LOCATION REQUIREMENTS**

**MINIMUM SETBACKS FROM ROAD RIGHT-OF-WAY LINES:**

**4. Accessory Buildings**

Front: 30 feet

Side: ~~5~~ 3 feet unless the accessory building is located within 5 feet of the rear of the main building, then the side setback is the same as the main building.

Rear: ~~5~~ 3 feet.

One story detached accessory structures located 5 or more feet behind the main building are exempt from permit and location requirements provided that the floor area does not exceed 200 square feet.

**CHAPTER 02-11 RESIDENTIAL ZONE R-3**

**02-11-008          LOCATION REQUIREMENTS**

**MINIMUM SETBACKS FROM ROAD RIGHT-OF-WAY LINES:**

**4. Accessory buildings:**

Front 24 feet

Side ~~5~~ 3 feet unless the accessory building is located within 5 feet of the rear of the main building, then the side setback is the same as the main building.

Rear: ~~5~~ 3 feet.

One story detached accessory structures located 5 or more feet behind the main building are exempt from permit and location requirements provided that the floor area does not exceed 200 square feet.

**DRAFT**

- End of ordinance change. -

The revisions to the Ordinance set forth herein become effective upon filing in the office of the City Recorder and posting. These changes supersede prior inconsistent sections of the Naples City Land Use Ordinance as of the effective date of this Ordinance.

The changes set forth herein shall be inserted in and incorporated into the Naples City Land Use Ordinance.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2021.

**DRAFT**

## **CHAPTER 02-14**

## **SUPPLEMENTARY REGULATIONS**

**02-14-006**

### **EXEMPT FROM PERMIT AND LOCATION REQUIREMENTS:**

One story detached accessory structures located 5 or more feet behind the main building are exempt from permit and location requirements in the following, A-1, RA-1, RA-2, R-1, R-2, R-3 zones provided that the floor area does not exceed 200 square feet.

## **CHAPTER 02-21    AGRICULTURAL ZONE A-1**

### **MINIMUM SETBACKS FROM ROAD RIGHT-OF-WAY LINES:**

**02-21-005**

### **LOCATION REQUIREMENTS**

#### **4. Accessory buildings:**

Front :30 feet

Side: 3 feet Unless the accessory building is located within 5 feet of the main building, then the side setback is the same as the main building.

Rear: 3 feet

One story detached accessory structures located 5 or more feet behind the main building are exempt from permit and location requirements provided that the floor area does not exceed 200 square feet.

## **CHAPTER 02-22    RESIDENTIAL-AGRICULTURAL ZONE RA-1**

### **MINIMUM SETBACKS FROM ROAD RIGHT-OF-WAY LINES:**

**02-22-005**

### **LOCATION REQUIREMENTS**

#### **4. Accessory Buildings**

Front: 30 feet

Side: 3 feet unless the accessory building is located within 5 feet of the rear of the main building, then the side setback is the same as the main building.

Rear: 3 feet

One story detached accessory structures located 5 or more feet behind the main building are exempt from permit and location requirements provided that the floor area does not exceed 200 square feet.

**DRAFT**

## **CHAPTER 02-23 RESIDENTIAL/AGRICULTURAL ZONE RA-2**

### **MINIMUM SETBACKS FROM ROAD RIGHT-OF-WAY LINES:**

#### **02-23-004 LOCATION REQUIREMENTS**

##### **4. Accessory Buildings**

Front: 30 feet

Side: 3 feet unless the accessory building is located within 5 feet of the rear of the main building, then the side setback is the same as the main building.

Rear: 3 feet.

One story detached accessory structures located 5 or more feet behind the main building are exempt from permit and location requirements provided that the floor area does not exceed 200 square feet.

## **CHAPTER 02-24 RESIDENTIAL ZONE R-1**

#### **02-24-005 LOCATION REQUIREMENTS**

### **MINIMUM SETBACKS FROM PROPERTY LINES:**

##### **4. Accessory Buildings**

Front: 30 feet

Side: 3 feet unless the accessory building is located within 5 feet of the rear of the main building, then the side setback is the same as the main building.

One story detached accessory structures located 5 or more feet behind the main building are exempt from permit and location requirements provided that the floor area does not exceed 200 square feet.

## **CHAPTER 02-25 RESIDENTIAL ZONES R-2**

#### **02-25-06 LOCATION REQUIREMENTS**

### **MINIMUM SETBACKS FROM ROAD RIGHT-OF-WAY LINES:**

##### **4. Accessory Buildings**

Front: 30 feet

Side: 3 feet unless the accessory building is located within 5 feet of the rear of the main building, then the side setback is the same as the main building.

Rear: 3 feet.

One story detached accessory structures located 5 or more feet behind the main building are exempt from permit and location requirements provided that the floor area does not exceed 200 square feet.

**CHAPTER 02-11     RESIDENTIAL ZONE R-3**

**02-11-008     LOCATION REQUIREMENTS**

**MINIMUM SETBACKS FROM ROAD RIGHT-OF-WAY LINES:**

**4. Accessory buildings:**

Front 24 feet

Side 3 feet unless the accessory building is located within 5 feet of the rear of the main building, then the side setback is the same as the main building.

Rear: 3 feet.

One story detached accessory structures located 5 or more feet behind the main building are exempt from permit and location requirements provided that the floor area does not exceed 200 square feet.